

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

CARLOS BARROS-VILLAHERMOSA)	
)	
)	
v.)	
)	**Civil No. 06-1491
UNITED STATES OF AMERICA, et al)	(GZS)(BJM)
)	
Defendants)	
)	
)	

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on September 28, 2007, his Recommended Decision (Docket No. 51). The Government filed its Objection to the Recommended Decision (Docket No. 52) on October 15, 2007.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.
2. It is hereby **ORDERED** that the FTCA cause of action is **DISMISSED** with prejudice in its entirety against defendants United States Department of Homeland Security and United States Customs and Border Protection.
3. It is hereby **ORDERED** that the FTCA claim against defendant United States is **DISMISSED** with the exception of a claim under the theory of malicious prosecution.

4. It is hereby **ORDERED** that the Title VII claim against the appearing defendants is **DISMISSED** for failure to state a claim and for failure to exhaust administrative remedies.
5. It is hereby **ORDERED** that the Section 1983 claim against the appearing defendants be **DISMISSED** with prejudice.

/s/George Z. Singal
Chief U.S. District Judge

Dated: November 19, 2007